

and

WHEREAS, said proposed charter amendments as ratified (being hereinabove set forth) have been and are now duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration and in accordance with Section 8 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, that the aforementioned three amendments to the Charter of the City of Torrance as proposed to, and adopted and ratified by, the qualified electors of said City of Torrance be and the same hereby are approved as a whole, without amendment or alteration, for and as amendments to and as part of the Charter of the City of Torrance.

CARLOS BEE
Speaker of the Assembly
Pro Tempore

GLENN M. ANDERSON
President of the Senate

ATTEST:

FRANK M. JORDAN
Secretary of State

By: Walter C. Stutler
Assistant Secretary of State

ATTACHMENT J

STATE OF CALIFORNIA



OFFICE OF THE SECRETARY OF STATE

I, **EDMUND G. BROWN JR.**, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the RECORD on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this
20th day of August, 1973



Edmund G. Brown Jr.
Secretary of State

Leo J. ...
Deputy Secretary of State

Assembly Concurrent Resolution No. 119

Adopted in Assembly August 9, 1973

R. Brian Kedney
Acting Chief Clerk of the Assembly

Adopted in Senate August 13, 1973

Harvey R. White
Secretary of the Senate

This resolution was received by the Secretary of State this 16th day of August, 1973, at 3 o'clock P.M.

L. Rae Townsend
~~Assistant~~ Secretary of State
Deputy

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RESOLUTION CHAPTER 103

Assembly Concurrent Resolution No. 119—Approving amendments to the Charter of the City of Torrance, State of California, ratified by the qualified electors of the city at a general special municipal election held therein on the 17th day of April, 1973.

LEGISLATIVE COUNSEL'S DIGEST

ACR 119; Beverly. City charters. Approves amendments to Charter of City of Torrance.

WHEREAS, Proceedings have been taken and had for the proposal, adoption, and ratification of amendments to the Charter of the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, as hereinafter set forth in the certificate of the mayor and city clerk of the city, as follows:

CERTIFICATE OF RATIFICATION OF CHARTER AMENDMENTS BY THE ELECTORS OF THE CITY OF TORRANCE

State of California }
County of Los Angeles } ss
City of Torrance }

We, the undersigned, Ken Miller, Mayor of the City of Torrance, California, and Vernon W. Coil, City Clerk of said city, do hereby certify and declare as follows:

That the City of Torrance, a municipal corporation in the County of Los Angeles, State of California, is now and at all times herein mentioned was a city duly organized, existing and acting under a freeholders charter adopted under and pursuant to Section 8 of Article XI of the Constitution of the State of California.

That in accordance with the provisions of the Government Code of the State of California, the City Council of said city, being the legislative body thereof, on its own motion, submitted to the qualified electors of said

city certain proposals for the amendment and recodification and renumbering of the Charter of said city at a Special Municipal Election duly and regularly called and held in said city on the 17th day of April, 1973, said charter amendments being herein designated as Charter Amendments Nos. 1, 2 and 3.

That on March 2, 1973, said City Council caused said proposed charter amendments to be duly and regularly published and advertised in each and every edition of said second day of March, 1973, of the South Bay Daily Breeze, the official newspaper of said city and a daily newspaper of general circulation printed, published and circulated in said city.

That said City Council caused copies of said proposed charter amendments to be printed in convenient pamphlet form and in type of not less than 10-point and caused copies thereof to be mailed to each of the qualified electors of said city.

That said City Council, until the day fixed for the election upon said proposed charter amendments, did advertise continuously in said South Bay Daily Breeze, a daily newspaper of general circulation printed, published and circulated in said city, a notice that copies thereof might be had upon application therefor, that copies of said proposed charter amendments and recodification could be had upon application therefor at the office of the City Clerk of said city up to and including the day fixed for said special municipal election.

That said special municipal election was duly and regularly held in said city on the date fixed by said City Council, to wit, April 17, 1973, which date was not less than forty (40) nor more than sixty (60) days after completion of the advertising of said proposed charter amendments; that at said election a majority of the qualified voters voting thereon voted in favor of and did ratify Charter Amendments 1, 2 and 3, hereinafter specifically set forth.

That all proceedings in connection with the submission of said charter amendments to the electorate, and the election thereon, were taken in accordance with the provisions of Sections 34450 through 34463 of the

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Government Code of the State of California.

That said amendments to the Charter and recodification thereof of said city so ratified by the voters of said city are as follows, to wit:

“Charter Amendment No. 1:

“Shall the Charter of the City of Torrance be amended to repeal Section 3 of Article VI entitled ‘1958 General Municipal Election’; Section 1 of Article XVI, entitled ‘City Judge’; Section 1 of Article XVII, entitled ‘City Court’; Section 7 of Article XVIII, entitled ‘Special Fund for Capital Outlays’; and Section 8 of Article XVIII, entitled ‘Clerk’s Petty Cash Fund’?”

“Charter Amendment No. 2:

“Shall the Charter of the City of Torrance be revised to amend all references to the City Clerk contained in Section 2 of Article XIII and Section 4 and 5 of Article XVIII to read ‘City Manager’; and to amend all references to the City Clerk contained in Sections 1, 2 and 6 of Article XVIII and Section 7 of Article VI to read ‘Finance Director’; and to amend the phrase ‘first day of July’ appearing in Section 4 of Article XVIII to read ‘first day of June’; and to delete the phrase ‘cities of the sixth class’ as set forth in Section 4 of Article V and substitute the phrase ‘general law cities’ in its stead; and to delete all references to the City Auditor contained in Section 5, subsection e of Article VII to the City Judge contained in Section 3 of Article VII, and Section 5, Subsection e of Article VII, to the City Court contained in Section 8 of Article IX; and to amend Section 4 of Article XIX to provide in its entirety as follows: ‘This Charter may be amended in accordance with the provisions of the general laws of the State of California’?”

“Charter Amendment No. 3:

“Shall the Charter of the City of Torrance be recodified and renumbered so that it shall conform to that document entitled, ‘Proposed Recodified and Renumbered Torrance City Charter’ approved by motion of the Torrance City Council, copies of which are

on file with the City Clerk of the City of Torrance?"

That a copy of the document, entitled "The Charter, Amendments Nos. 1, 2 and 3 has been certified by the City Clerk, and is attached hereto as Exhibit "A" dated April 17, 1973.

That we have compared the amendment as stated herein with the original proposals submitted to the electors of said city, and find and certify that the foregoing is a full, true and correct copy thereof.

In witness whereof, we have hereunto set our hands and caused the seal of said City of Torrance to be affixed hereto this 22nd day of June, 1973.

(SEAL)

KEN MILLER
Mayor of the City of
Torrance, California
VERNON W. COIL
City Clerk of the City of
Torrance, California

EXHIBIT "A"

THE CHARTER

AMENDMENTS NOS. 1, 2, AND 3

April 17, 1973

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THE CHARTER

Article 1—Name of City

Section 100. Name.

The municipal corporation now existing and known as the "City of Torrance," in Los Angeles County, California, shall remain and continue to exist a body politic and corporate, as the present, in fact and in law by the name of "City of Torrance" and by such name shall have perpetual succession.

Article 2—Boundaries

Section 200. Boundaries.

The territory of the City shall be that contained within its present boundaries as now established, with the power and authority to change the same in the manner provided by law.

Article 3—Succession

Section 300. Rights and Liabilities.

The City of Torrance as successor in interest of the municipal corporation of the same name, heretofore created and existing, shall own, hold, possess, use, lease, control and in every way succeed to and become the owner of rights and of property of every kind and nature by said existing municipal corporation, owned, controlled, possessed or claimed, and shall be subject to all the debts, obligations, liabilities and duties of said existing corporation.

Section 310. Ordinances Continue in Force.

All ordinances, resolutions and other regulations, or portions thereof, in force at the date this Charter takes effect and not inconsistent with this Charter, shall be and remain in force after this Charter takes effect until changed or repealed by proper authority.

Section 320. Preservation of Personnel Rights.

Nothing in this Charter contained, except as specifically provided or as inconsistent with this Charter, shall affect or impair the rights or privileges of officers or employees of the City or of any office, department or agency thereof existing at the time when this Charter shall take effect.

Article 4—Powers of City

Section 400. Generally.

The City shall have the power to make and enforce all laws and regulations in respect to municipal affairs, subject only to such restrictions and limitations as may be provided in this Charter, and in the Constitution of the State of California. It shall also have the power to exercise any and all rights, powers and privileges heretofore or hereafter established, granted or prescribed by any law of the State, by this Charter or by other lawful authority. The specifications in this Charter of any particular powers shall not be held to be exclusive of, or any limitations upon, this general grant of power. The City shall have the power to act pursuant to procedure established by any law of the State, unless a different procedure is established by ordinance.

Section 410. Limitations Upon General Powers of the City Council.

The general powers vested in the City Council by this Charter are hereby limited in the following manner:

Section 411. Tax Limit.

The City Council shall not levy a property tax in excess of One Dollar on each One Hundred Dollars of the assessed value of taxable property in the City, without the assent of two-thirds of the qualified electors of the City, voting at any general or special municipal election at which a proposition to exceed such limit shall be submitted. Such limitation shall not apply to any tax that is levied for the payment of principal or interest of bonds heretofore or hereafter issued and any taxes levied for the

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purpose of payment thereof may be in excess of said limitation.

In addition to the levy for municipal purposes, there shall be included in every annual levy, a sufficient amount to cover all liabilities of the City for principal and interest of all bonds or judgments due and unpaid or to become due during the ensuing fiscal year and not otherwise provided for. The City Council may also levy such additional tax as is required to cover all obligations of the City to the State Employees' Retirement System or any other system for the retirement of City employees which may be provided for.

Special levies, in addition to the above, may be made annually, based on approved budget requirements, for the following specific purposes: Parks, playground and recreational centers, promotion and advertising, city planning and libraries. The proceeds of any such special levy shall be used for no other purpose than that specified.

Any unexpended or unencumbered balances resulting from such special funds shall, at the end of each fiscal year, accrue to the general fund.

Section 412. Bonded Debt Limitation.

The City shall not incur any bonded indebtedness for public improvements which shall in the aggregate exceed fifteen percent of the assessed value of all the real and personal property of the City.

Section 413. Advertising, Promotion and Music.

The City Council shall not expend more than five percent of the moneys accruing to the general fund in any one (1) fiscal year for advertising, promotion or music.

Section 414. Limitation on Indebtedness.

The City Council shall not incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year without the assent of two-thirds of the qualified electors of said City voting at an election to be held for the

purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest of such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty (40) years from the time of contracting the same; provided, however, anything to the contrary herein notwithstanding, when two (2) or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds of the qualified electors, voting on any one (1) of such propositions, vote in favor thereof such proposition shall be deemed adopted.

Article 5—Elections

Section 500. Procedure for Holding Elections.

All elections shall be held in the manner prescribed in the Elections Code of the State of California for the holding of elections in general law cities (~~cities of the sixth class~~), so far as the same may be applicable and excepting as herein otherwise provided. No person shall be entitled to vote in any such election unless he shall be a qualified elector of said City or school district. The City Council may by ordinance provide a procedure for the holding of City elections, in which event such procedure shall prevail over the provisions of the said Elections Code.

Section 510. General Municipal Elections.

General municipal elections shall be held in said City on the second Tuesday in April in each even numbered year.

Section 520. Special Municipal Elections.

All other municipal elections that may be held by authority of this Charter or of any law, shall be known as special municipal elections.

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Section 530. Initiative, Referendum and Recall.

The provisions of the Elections Code of the State of California governing the initiative and referendum shall apply to the use of the initiative and referendum in said City insofar as the same may be applicable and except as herein otherwise provided. All elective officers of said City shall be subject to recall in the manner provided in the said Elections Code of the State of California relating to recall of municipal officers insofar as the same may be applicable and except as herein otherwise provided.

Section 540. 1958 General Municipal Election.
(Repealed)

Article 6—Elective Officers

Section 600. Elective Officers.

The elective officers of the City shall be the Mayor, six members of the City Council, five members of the Board of Education, the City Clerk and the City Treasurer. No person shall be a candidate for more than one of said offices at any municipal election. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 601. Eligibility for Elective Office.

No person shall be eligible to hold any elective office in this City unless he be a resident and elector therein and shall have resided in such City for at least one (1) year next preceding the date of his election. If an elective officer shall cease to possess any of the qualifications for office herein set forth, or shall be convicted of a crime involving moral turpitude, or shall resign, or be adjudged an incompetent, his office shall immediately become vacant. In case a member of the City Council or Board of Education absents himself from all regular meetings of the body to which he shall belong, for a period of sixty (60) days consecutively, from and after the last regular meeting of such body attended by said member, unless by the expressed permission of such body duly recorded in its official minutes, his office shall automatically become

vacant and the same shall be filled as in case of other vacancies.

Section 602. Terms.

The elective officers of the City shall be elected from the City at large and, except members of the Board of Education, shall hold office for a term of four (4) years from and after the Tuesday next succeeding the date of such election and until their successors are elected and qualified. (Ratified Gen. Mun. Elec. 4/10/62, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

Section 603. Vacancies.

Any vacancies occurring in any of the elective offices provided for in this Charter, other than of members of the Board of Education, shall be filled by appointment by the City Council. Vacancies in the Board of Education shall be filled by appointment by the Board of Education. In the event of the City Council or the Board of Education, respectively, failing to fill a vacancy by appointment within thirty (30) days after such vacancy occurs, the City Council must immediately, after the expiration of said thirty (30) days, cause an election to be held to fill such vacancy. Any person appointed or elected to fill any vacancy shall hold office only until the next regular municipal election at which time a person shall be elected to serve for the remainder of such unexpired term. In the election of Councilmen or members of the Board of Education, where full terms and one (1) or more unexpired terms are to be filled, no distinction shall be made in nomination or voting between the full terms and the unexpired terms but the person or persons elected by the highest number of votes shall be elected for the full terms or term and the persons receiving the next highest vote shall be elected for the unexpired terms or term, as the case may be.

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Section 604. Compensation.

The members of the Board of Education shall receive no compensation for their services as such. The members of the City Council shall receive compensation in the amount of One Hundred Dollars (\$100.00) per month, payable in equal semi-monthly payments, and in addition thereto shall receive their actual and necessary expenses while engaged on City business at the direction of the City Council. Any member of the City Council making demand for reimbursement for traveling or other expense shall provide the Director of Finance (~~City Clerk~~) with vouchers covering such expenses, together with a sworn statement to the effect that such expenses were actually incurred in good faith by said party while on official City business. The compensation of any member of the City Council appointed or elected to fill a vacancy shall be the same as that payable to such member whose office was vacated.

The City Clerk and City Treasurer shall severally receive, at stated times, a compensation to be fixed by ordinance adopted by the City Council; which compensation shall not be increased or diminished after their election or during their respective terms of office.

This Section shall become effective April 10, 1956, and shall be subject to the provisions of Article 11, Section 5 of the Constitution of the State of California and Sections 53070 and 53071 of the Government Code of the State of California. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

Section 610. The Mayor.

The Mayor shall preside at the meetings of the City Council, and in case of his absence or inability to act, the City Council shall appoint a Mayor Pro Tempore, who shall serve only until such time as the Mayor returns and is able to act, and for such period shall have all the powers and duties of the Mayor. The Mayor shall be a member of the City Council for all purposes and shall have all the rights, powers and duties of a member of the City Council in addition to those powers and duties conferred upon

him by virtue of his office as Mayor. Unless otherwise expressly provided to the contrary, any provision in this Charter which relates to the City Council or to members of the City Council shall be interpreted to include the Mayor as a member of the City Council. The Mayor shall sign all warrants drawn on the City Treasurer, and shall sign all written contracts and conveyances made up or entered into by said City. The Mayor shall have the power to administer oaths and affirmations, to take affidavits and to testify the same under his hand. The Mayor is authorized to acknowledge the execution of all instruments executed by said City that are required to be acknowledged. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 620. City Clerk.

It shall be the duty of the City Clerk to keep a full and true record of all the proceedings of the City Council in books that shall bear appropriate titles and be devoted exclusively to such purposes, respectively. Such books shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein.

The City Clerk shall keep a book marked "Ordinances" into which he shall record all City ordinances with his certificate annexed to each of said ordinances stating the same to be a true and correct copy of an ordinance of said City, giving the number of said ordinances and stating that the same has been published or posted according to law. Said record with said certificate shall be prima facie evidence of the contents of each ordinance and of the passage and publication of the same and shall be admissible as such evidence in any court or proceedings.

The official records of the City in the custody of the City Clerk shall not be filed in any court proceedings or other action but shall be returned to the custody of the City Clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication of ordinances in the usual way. The City Clerk shall be the custodian of the seal of the City.

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The City Clerk may appoint a deputy, or deputies, from an eligible list to be prepared in accordance with the proceedings prescribed in the civil service system of the City, such deputy or deputies to receive such compensation as may be provided for by the City Council.

The City Clerk and his deputy, or deputies, shall have power to administer oaths or affirmations, to take affidavits and depositions pertaining to the affairs and business of the City, which may be used in any court or proceedings in the State, and to certify the same. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 7; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57). The salary of the City Clerk shall be determined by the City Council but shall not be less than Seven Hundred Fifty Dollars (\$750.00) per month.

The City Clerk shall devote his entire time to the interests of the City, and shall be entitled to receive expenses, vacation periods and sick leave, with pay, the same as prescribed by the civil service ordinances of the City for heads of departments. (Ratified Gen. Mun. Elec. 4/14/64, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 62 on 5/7/64; filed with Sec'y of State, Chapter 55 on 5/11/64)

Section 630. City Treasurer.

It shall be the duty of the City Treasurer to receive and safely keep all moneys which shall come into his hands as City Treasurer. He shall comply with all provisions of law governing the deposit and securing of public funds. He shall also comply with all the provisions of the general laws of the State governing the handling of such trust funds as may come into his possession. He shall pay out moneys only on warrants signed by persons designated by law, or ordinance, as the proper persons to sign warrants and as to trust funds which may come into his possession or control by virtue of some law, ordinance or resolution, by warrant or other order, in accordance with the provisions of such law, ordinance or resolution. He shall at regular intervals, at least once each month, submit to the Director of Finance a written report and

accounting of all receipts, disbursements and fund balances, a copy of which report he shall file with the City Council.

The City Treasurer may appoint a deputy, or deputies, from an eligible list to be prepared in accordance with the proceedings prescribed in the civil service system of the City, such deputy or deputies to receive such compensation as may be provided by the City Council. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 8; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

Section 640. Election as to Making Clerk or Treasurer Appointive Offices.

The City Council may submit to the electors at any special or general municipal election, the question as to whether the City Clerk or City Treasurer, or either of them, shall be appointed by the City Council instead of being elected, as provided in this Charter. If a majority of votes cast on any such proposition are in favor of the appointment of such officers, or either of them, then at the expiration of any such official's term of office, or on the occurrence of a vacancy in such office, such office shall be filled by appointment by the City Council and the appointee shall hold office in the same manner as other appointive officers.

Section 650. Political Activity of Those Under System.

No person in the classified service of the City shall seek or accept election, nomination or appointment as an officer of a political club, or organization or take an active part in a county or municipal campaign or serve as a member of a committee of such club, organization or circle, or seek signatures to any petition or act as a worker at the polls, or distribute badges, pamphlets, dodgers or handbills of any kind, favoring or opposing any candidate for election, or for nomination to a public office or for nomination to a county or municipal public office; provided, however, that nothing in this Act shall be construed to prevent any such officer or employee from becoming or continuing to be a member of a political

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group or organization, or from attendance at a political meeting, or from enjoying entire freedom from all interference in casting his vote or from seeking or accepting election or appointment to any public office.

Any willful violation hereof, or violation through culpable negligence shall be sufficient grounds for the discharge of any such officer or employee.

Article 7—City Council Powers and Duties

Section 700. Legislative Powers.

The legislative powers of the City shall be vested in the City Council and in the people through the initiative and referendum.

Section 710. Organization Meeting.

The City Council shall meet on the Tuesday next succeeding the date of the holding of any general municipal election. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 711. Regular Meetings.

The City Council shall hold regular meetings at least once in each month, at such times as it shall fix by ordinance or resolution, and may adjourn any regular meeting to a date certain, which shall be specified in the order of adjournment, and when so adjourned, each adjourned meeting shall be a regular meeting for all purposes. Any adjourned meeting may likewise be adjourned.

Section 712. Adjournment.

In the event that any order of adjournment of a regular meeting fails to set the hour at which any adjourned meeting is to be held, such adjourned meeting may be validly held on the day specified in the order of adjournment, if held at the hour set forth in the ordinance or resolution prescribing the time for regular meetings.

Section 713. Special Meetings.

Special meetings may be called at any time by the Mayor, or by three members of the City Council, by written notice delivered personally to each member at least three (3) hours before the time specified for the proposed meeting; provided, however, that any special meeting of the City Council shall be a validly called special meeting, without the giving of such written notice, as provided, if all members of the City Council shall give their consent, in writing, to the holding of such meeting, and such consent is on file in the office of the City Clerk at the time of holding such meeting. A telegraphic communication from a Councilman consenting to the holding of the meeting shall be deemed to be a consent in writing, within the meaning of the terms as expressed in the foregoing sentences. At any special meeting the powers of the City Council to transact business shall be limited to matters referred to in such written notice or written consent.

Section 714. Place of Meetings.

All regular or special meetings of the City Council shall be held within the corporate limits of the City, at such place as may be designated by ordinance or resolution, and shall be open to the public. If, by reason of fire, flood or other disaster or emergency, it shall be unsafe to hold a Council meeting at the designated place, the City Council may meet during such emergency at such place as is designated by the Mayor or by three members of the City Council. The City Council shall have the right and privilege to hold and conduct its meeting in accordance with an agenda and may specify the matters which shall be considered at each meeting and shall have the right to establish a time at which all communications shall be on file in the office of the City Clerk in order that such communications may be considered at the next regular meeting of the City Council. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 5; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

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Section 715. Quorum.

At any meeting of the City Council, a majority of said Council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time, and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. In the absence of all of the City Council from any regular meeting or adjourned regular meeting the City Clerk may declare the same postponed and adjourned to a stated day and hour, and must thereupon deliver or cause to be delivered personally to each member of the City Council a written notice of such adjournment at least three hours before the time to which said regular or any adjourned regular meeting has been adjourned. Whenever in this Charter a certain proportion of the Council is required for the performance of any act, it shall mean such proportion of the entire membership of the Council.

Section 716. Council Proceedings.

The City Council shall judge of the qualifications of its members and of all election returns, and determine contested elections of all City officers. It may establish rules for the conduct of its proceedings and punish any member or other person for disorderly behavior at any meeting. It shall have the power and authority to examine witnesses under oath and compel the attendance of witnesses and the production of evidence before it by subpoena. Such subpoenas shall be issued in the name of the City and be attested by the City Clerk. Such subpoenas shall be served by the Chief of Police and the disobedience of such subpoenas, or the refusal to testify, shall constitute a misdemeanor for which prosecution may be had in any court of competent jurisdiction (~~the City Court~~). It shall cause the City Clerk to keep a correct record of all its proceedings and at the desire of any member, the City Clerk shall call the roll, and shall cause the ayes and noes taken on any question to be entered in the record journal.

Section 720. Ordinances; Enactment Clause.

The enacting clause of all ordinances shall be substantially as follows: "The City Council of the City of Torrance does ordain as follows": Every ordinance must be signed by the Mayor and attested by the City Clerk.

Section 721. Ordinances; Publication.

The City Clerk shall cause each ordinance to be published within fifteen (15) days after its passage at least once in a newspaper of general circulation, printed, published and circulated in the City. If there be no such newspaper, then each ordinance must be posted in at least three (3) public places in the City.

Section 722. Codification of Ordinances.

Any and all ordinances of the City which have been enacted and published in the manner required at the time of their adoption, and which have not been repealed, may be compiled, consolidated, revised, indexed, including such re-statements and substantive changes as may be necessary in the interest of clarity and arranged as a comprehensive ordinance code, and such code may be adopted by reference by the passage of an ordinance for such purpose; which ordinance shall be required to be adopted and approved in the manner provided in this Charter for the passage of ordinances of the City. The ordinance code itself need not be published in the manner required for other ordinances, but not less than three (3) copies of such code shall be filed, for use and examination by the public, in the office of the City Clerk, prior to the adoption thereof. After the code has been adopted, all ordinances thereafter adopted shall be amendatory and revisory of the code, and no section of the code shall be revised or amended by reference but the section revised or amended shall be readopted and published at length as revised or amended.

Section 723. Adoption of Code by Reference.

Detailed regulations pertaining to any subject, such as the construction of buildings, plumbing, wiring or other subjects which require extensive regulations, after

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having been arranged as a comprehensive code, may be adopted by reference by the passage of an ordinance for such purposes; which ordinance may be adopted in the same manner as specified for the adoption of a comprehensive ordinance code.

Section 724. Adoption of Ordinances and Resolutions.

No ordinance of any kind shall be passed by the City Council on the day of its introduction, nor within five days thereafter, nor at any time other than a regular or adjourned regular meeting. At the time that an ordinance or resolution is up for final passage, it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by motion of the City Council regularly made and approved by the unanimous vote of those present. In the event that any ordinance is materially altered after its introduction, the same shall not be finally adopted except at a regular or adjourned regular meeting held not less than five days after the date upon which such ordinance was so altered. The correction of typographical or clerical errors shall not constitute the making of an alteration within the meaning of the foregoing sentence.

No resolution or any order for the payment of money shall have any validity or effect unless passed by the votes of at least four members of the City Council, and no ordinance shall have any validity or effect unless passed by the votes of at least four members of the City Council. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 725. Ordinances; When Required.

Every act of the City Council establishing a fine or other penalty, or granting a franchise, creating a commission, board or agency, or in any way restricting or governing the use of property, and in addition thereto, every act required by the City Charter to be done by ordinance shall be by ordinance. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 6; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

Section 726. Ordinances; When Effective.

No ordinance shall become effective until thirty (30) days from and after the date of its final passage, except an ordinance calling or otherwise relating to an election, or to a street improvement proceeding taken under some law, or ordinance determining the amount of money necessary to be raised by taxation, or fixing the rate of taxes to be levied, or an ordinance for the immediate preservation of the public peace, health, or safety, which contains a declaration of facts constituting its urgency, and is passed by a five-sevenths vote of the City Council. An ordinance for the immediate preservation of the public peace, health or safety which contains a declaration of the facts constituting its urgency and is passed as aforesaid, may be introduced and passed at one and the same meeting and the requirement that not less than five (5) days shall intervene between the introduction and final passage shall not apply to such an ordinance. (Ratified Spec. Mun. Elec. 10/29/57, Amend No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 727. Ordinance Violation; Misdemeanor.

A violation of any ordinance of the City shall be deemed a misdemeanor and may be prosecuted by the authorities of the City in the name of the People of the State of California; or may be redressed by civil action at the option of said authorities.

Section 728. Ordinance Penalty.

The maximum fine or penalty for any violation of an ordinance of this City shall be the sum of Five Hundred Dollars (\$500.00), or a term of imprisonment in the City jail or in the County jail of the County of Los Angeles, for a period not exceeding six (6) months, or by both such fine and imprisonment. By ordinance or resolution of the City Council, any persons imprisoned for violation of any ordinance may be compelled to labor on the streets or other public property or works within the City.

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Article 8—Board of Education

Section 800. Board of Education.

The control of the public schools of this City shall be vested in the Board of Education, which shall consist of five members; the qualifications and removal of which shall be as prescribed in this Charter.

Notwithstanding any other provisions of this Charter, the members of the Board of Education shall be elected at elections called, held and conducted at the same times and in the same manner as election for members of the governing boards of unified school districts which are not coterminous with and do not include within their boundaries a chartered city, and shall hold office for the terms prescribed by law for members of governing boards of such unified school districts except that each person elected shall hold office for a term of four years commencing on the first Monday in May next succeeding his election. (Ratified, Gen. Mun. Elec. 4/10/62, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

Section 810. Eligibility.

No person shall be eligible to hold office as a member of the Board of Education unless he shall have been a qualified elector of the school district for at least one (1) year next preceding the date of his election or appointment.

Section 811. Vacancies.

If a member of the Board of Education absents himself from all regular meetings of the Board for a period of sixty days, consecutively, from and after the last regular board meeting attended by such member, unless by permission of the Board expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be an elector of the school district, his office shall become vacant and shall be so declared by the Board of Education.

Article 9—City Manager

Section 900. City Manager Form of Government.

The City Manager form of government shall be and the same is hereby established for the City of Torrance, a municipal corporation. The office of City Manager in and for the City of Torrance is hereby established.

Section 910. Appointment, Removal and Salary of City Manager.

Within sixty days after this amendment shall have become effective, the City Council shall appoint without reference to the provisions of any civil service ordinance rule or regulation, a City Manager, who need not be a resident at the time of his appointment. Said City Manager, however, shall become a resident of Torrance within six months from the date of his appointment. The City Manager must be a citizen of the United States, not less than thirty years of age, and shall be a person of demonstrated administrative ability, with experience in responsible executive positions and he shall be chosen by the City Council solely upon the basis of his executive and administrative qualifications.

The City Manager shall be appointed for an indefinite term and shall be removable at the pleasure of the City Council but only upon the adoption of a resolution by the affirmative vote of at least a majority of the members of the City Council. The City Manager, however, shall not be removed until after the expiration of six months after the date of his appointment except (1) for conviction of a felony or (2) for conviction of a crime prescribed by statute applicable to municipal officials or (3) upon the passage of a resolution adopted by the unanimous vote of all City Councilmen. After the expiration of said six months' period, said City Manager may be removed by the City Council for either of the two reasons set forth in exceptions 1 and 2 above, and/or in the manner set forth in said exception 3 last mentioned and/or in the manner following:

At a regular meeting of the City Council, it shall adopt a Resolution of Intention to remove said City Manager,

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which resolution shall be approved by a majority of the members of the City Council and shall set forth the grounds for such proposed removal. A certified copy of said Resolution of Intention shall then be served personally upon said City Manager who shall have the right to defend himself against said charges before said City Council at a public hearing and at a time to be fixed by it, which shall be not less than two weeks after the service of said Resolution of Intention upon said City Manager and not more than thirty days thereafter.

The City Council may thereupon, or within five days thereafter, enact a resolution by an affirmative vote of a majority of the members of said City Council, either discharging said City Manager or retaining him in office, as it may by such resolution determine.

Pending such hearing and by said Resolution of Intention, the City Manager may be suspended from office, but shall be entitled to his salary during the time of such suspension, if reinstated.

The salary of the City Manager shall be not less than Five Hundred Dollars (\$500.00) per month, payable in equal semi-monthly installments. Subject to the foregoing limitations, the salary of the City Manager shall be fixed by resolution of the City Council adopted by a majority vote and salary thus fixed cannot be reduced without notice to the City Manager and an opportunity to be heard thereon at a public meeting of the City Council prior to adoption of the resolution reducing his salary.

In case of absence, suspension, or disability of the City Manager, the City Council may designate some qualified person to perform the duties of the office during his absence, suspension or disability. In case of a vacancy in the office of City Manager, the City Council shall proceed immediately to appoint a new City Manager.

The City Manager shall be entitled to vacation periods and sick leave, with pay, but in no event shall the basis of such pay be less than the basis prescribed for such compensation by the civil service ordinance of the City of Torrance for heads of municipal departments. Subject to the foregoing limitations, the City Council shall

determine the extent of such periods and the compensation to be paid the City Manager during the same. Vacation periods and sick leave shall not respectively accumulate in excess of thirty days.

Section 920. City Manager Responsible to City Council.

The City Manager shall be responsible to the City Council for the proper and efficient management of all the affairs of the City placed in his charge hereby or by the City Council.

Section 921. Noninterference by City Council With Powers and Duties of City Manager.

Neither the City Council nor any member thereof, shall in any manner, direct or request the City Manager to appoint or remove any person to and/or from any office or position of employment of the City. Neither the City Council nor any member thereof shall give orders or instructions publicly or privately, to any person under the jurisdiction of the City Manager. No member of the City Council shall undertake to coerce the City Manager in respect to any of his duties and/or any municipal contract, and/or in connection with the purchase of any municipal supplies.

Section 930. The Power of City Manager Over Executive Departments.

The City Manager shall have supervision and control over all heads of departments, except the City Attorney, (~~City Auditor, City Judge~~) and elective officials of the City, and shall have power to direct and control the administrative and executive functions of such departments and shall have power to appoint from the civil service eligible list, all heads of departments except the City Attorney, (~~City Auditor, City Judge~~) and elective officials of said City, and shall have power to prefer charges against such heads of such departments as are appointed by him in the manner prescribed by and in accordance with the provisions of any civil service ordinance of said City applicable to suspension, discipline or removal of such heads of such departments, but any

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decision of the Civil Service Board or the Trial Board, as the case may be, upon any such charges may be overruled by an affirmative vote of four members of the City Council.

The City Manager may recommend to the City Council, setting forth reasons therefor, the abolition, suspension or consolidation of the duties and functions of any of the heads of departments, chief officials, subordinate officers and employees of the City. The City Council may thereafter, at any time, abolish, suspend or consolidate any such duties or functions in accordance with such recommendations or as it may determine, and thereafter remove the person or persons affected from the employment of the City, whose duties are thus abolished, suspended or consolidated.

Section 931. Special Powers and Duties of City Manager.

The City Manager shall be specifically charged with the performance of the following duties and shall have the following powers, in addition to those enumerated above:

a) He shall enforce all municipal ordinances, franchises, leases, contracts, permits and privileges granted by the City.

b) He shall purchase all supplies, property or equipment needed or required by the City. No supplies, property or equipment shall be purchased by the City Manager at a cost in excess of \$300.00 at any one time, without prior order or direction from the City Council.

c) He shall prepare and submit to the City Council an annual budget estimate at least two (2) months prior to the date when the annual tax rate must be established, and in this connection, the City Manager shall have plenary power to demand of the various executive departments and elective officials of the City a full and complete statement of the estimated expenditures of such departments and elective officials for the ensuing fiscal year, and the reasons for such expenditures. The City Manager may include or exclude such items from said budget estimate as he may deem advisable. Should

any such head of such department or elective official fail to submit such a statement within thirty days after demand, the City Manager shall thereupon have the right to take possession of all books and fiscal records of such department or elective official and retain the same thereafter until such time as the City Council shall order them returned to such department head or elective official and the City Council may likewise engage the service of such subordinate employees as may be necessary to maintain such books and records.

The City Council shall hold at least two public hearings upon said annual budget estimate and may increase the total estimated expenditures set forth therein only upon an affirmative vote of four members of the City Council.

d) He shall make such recommendations to the City Council or the County Board of Equalization regarding taxes, assessments and/or the annual assessment roll as he may deem advisable.

e) He shall have general supervision and control over all City property, including public buildings, parks and playgrounds.

f) He shall advise the City Council concerning the financial needs, conditions, and requirements of the City, and may make such recommendations to the City Council in connection therewith as he may deem advisable.

g) He shall attend all meetings of the City Council or of the members thereof when public matters are under consideration or discussion, except when his suspension, removal or reduction of his salary is under consideration by the City Council.

h) He may examine, without notice, the official conduct or the official accounts or records, of any officer or employee of the City.

i) The City Manager shall devote his entire time to the interests of the City and shall not engage in any private business.

j) He shall perform such other duties and powers as may be conferred upon him by the City Council by resolution or ordinance.

k) The City Manager may delegate and/or redelegate

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any of the foregoing duties to any municipal department or to the head or chief official of any such department.

1) All demands shall, prior to payment, be approved by the City Manager. Prior to the approval of any demands by him, he shall satisfy himself that the supplies, materials, property or services for which payment is claimed, have been actually delivered or rendered, that the payment, authorized by law, is just and fair, and that appropriation for the same has been made. All payrolls shall be certified by the respective department heads and approved by the City Manager. (Ratified Gen. Mun. Elec. 4/13/48, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 8 on 1/6/49).

Section 940. Ordinance and Charter Provisions Repealed.

All ordinances or parts of ordinances of the City of Torrance and all sections, subsections or parts of sections of this Charter, in conflict herewith, are hereby amended or repealed as the case may be.

Section 941. Invalidity.

If any section or subsection, or any word, phrase, or clause hereof, shall be held to be invalid or void for any reason by any court of competent jurisdiction, such decision shall not invalidate or render void, or impair the validity of any other section, subsection, word, phrase or clause hereof. Each section, subsection, word, phrase and clause hereof is hereby declared to be separable. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

Article 10—City Attorney

Section 1000. Eligibility.

No person shall be eligible for the office of City Attorney unless he shall have been admitted to practice before the Supreme Court of the State of California and shall have been engaged in the practice of law in the State of California for at least five (5) years prior to his

appointment. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 11; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

Section 1010. Powers and Duties.

The City Attorney shall have the power and be required to:

a) Represent and advise the City Council and all City officials in all matters of law pertaining to their respective offices and/or duties.

b) Represent and appear for the City and any City officer, employee or former City officer or employee, in any and all actions or proceedings in which the City or any such officer or employee, in or by reason of his official capacity, is concerned or is a party. The City Council, at the request of the City Attorney, may employ other attorneys to assist in any litigation or other matter of interest to the City.

c) Approve the form of all bonds given to and all contracts made by the City, and amendments thereto.

e) To have charge of prosecuting on the behalf of the people all criminal cases for violations of this Charter, of City ordinances or of misdemeanor offenses arising upon violation of the laws of the State.

f) The City Council, on the recommendation of the City Attorney, may appoint such assistant City Attorneys or Deputy City Attorneys as may be required to carry out the functions of the office of the City Attorney and they shall have such duties as may from time to time be assigned to them by the City Attorney. Any such assistants or deputies so appointed shall be members of the classified service of the City and shall be paid a salary commensurate with the duties assigned to them. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

g) On vacating the office, surrender to his successor all books, papers, files and documents pertaining to the City's affairs. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 11; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

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Article 11—Director of Finance

Section 1100. Powers and Duties.

There is hereby created and established the office of Director of Finance of the City of Torrance. The Director of Finance shall be appointed by the City Council upon the recommendation of the City Manager and shall be responsible to and under the supervision of the City Manager and shall be a member of the classified service of the City. The duties and functions of said Director of Finance shall be to:

a) Maintain and operate the general accounting system of the City and of the respective departments, offices and agencies thereof.

b) Keep and maintain, or to prescribe and require the keeping and maintaining of inventory records of municipal properties.

c) Cooperate with the City Manager (~~City Clerk~~) and City Treasurer in establishing and maintaining sufficient and satisfactory procedures and controls over municipal revenues and expenditures in all departments of the City.

d) To assume and perform all municipal functions and duties relating to the preparation, auditing, presenting and disbursement of claims and demands against the City, including payrolls.

e) Assist the City Manager in the preparation of the annual budget and in the administration thereof.

f) Prepare and present to the City Council, through the City Manager, in sufficient detail to show the exact financial condition of the City, an annual statement and report of the financial condition of the City and such other financial reports as may be required by the City Council or the City Manager.

g) Supervise such subordinate employees or assistants as may be authorized by the City Council.

h) Perform such additional duties as may be hereafter required by the City Council or the City Manager. (Ratified, Gen. Mun. Elec. 4/10/56, Amend. No. 7; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

Article 12—General Provisions Applicable to Officers
and Employees

Section 1200. Official Bonds.

The City Clerk and the City Treasurer and such other officers or employees as may be required to do so by ordinance of the City Council, shall each execute a bond to the City for the faithful performance of official duties; which bonds shall be in the amount fixed by the City Council. Said bonds shall be approved by the City Council and with the exception of the bond of the City Clerk, shall be filed with the City Clerk. The bond of the City Clerk shall be filed with the Mayor. Premiums upon said bonds shall be paid by the City out of its general fund. All the provisions of any law of this State relating to the official bonds of officers shall apply to any bonds herein required or authorized to the extent that such provisions are not in conflict herewith.

Section 1210. Oaths of Office.

All officials, officers, members of boards, or commissions and employees shall take and file with the City Clerk the oath of office required by the constitution and the laws of the State. In addition to the oath of office, and as a part thereof, the City Council shall by ordinance require all of the persons herein mentioned, including members of the City Council, to affirm their loyalty to the United States of America and its principles of government. The oath of office of the City Clerk shall be taken by and filed with the Mayor. (Ratified Gen.Mun. Elec. 4/11/50, Amend. No. 4; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

Section 1220. Illegal Contracts. Financial Interest.

No member of the City Council shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party. No City official or employees shall be financially interested, directly or indirectly, in any contract, sale or transaction to which the City is a party, and which comes before said official or employee, or the department of the government with

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which he is connected, for official action. Any contract or transaction hereinabove mentioned in which any such officer or employee of the City shall be or become financially interested, shall become void at the election of the City, when so declared by resolution of the City Council.

No member of the City Council, City official or employee shall be deemed to be financially interested, within the meaning of the foregoing provisions, in any contract made with a corporation by reason of the ownership of stock in such corporation unless said stock so owned by him shall amount to at least three (3) percent of all stock of such corporation issued and outstanding. No City Councilman or member of any board or commission shall vote on or participate in any contract or transaction in which he is directly or indirectly financially interested, whether as a stockholder of the corporation or otherwise. If any officer of the City, during the term for which he was elected or appointed, shall so vote or participate, or be financially interested as aforesaid, upon conviction thereof, he shall forfeit his office and be punished for misdemeanor.

Section 1230. Duties of Officers and Employees.

In addition to the powers and duties prescribed by this Charter, the officers and employees of the City shall have such other powers and perform such other duties as may be prescribed by the laws of the State of California, or by ordinances, resolutions or orders of the City Council, and not in conflict with the provisions of this Charter.

Article 13—Civil Service

Section 1300. Civil Service System.

All appointments and promotions in the classified service of the City shall be made according to merit and fitness, to be ascertained, so far as practicable by competitive examination. The civil service system existing on April 10, 1962, whether created or amended in whole or in part by ordinances adopted by vote of the People or by ordinances adopted by the City Council

shall continue in full force and effect; provided, however, that the City Council may amend, delete or replace any provisions of said ordinances by ordinance or ordinances by a five-sevenths vote of the City Council after consideration thereof by the Civil Service Commission. The City Council shall not have the authority to withdraw any departments, appointive officers or employees from the operation of such system, either by outright repeal of the civil service ordinances or otherwise, unless and until the withdrawal thereof shall have been submitted to the qualified electors of said City at a regular or special municipal election held in said City. Nothing contained in this Section 1300 shall repeal or modify any of the provisions of Article 9 of this Charter which established the City Manager form of government. (Ratified Gen. Mun. Elec. 4/10/62, Amend. No. 3; Approved by State Legislature Concurrent Res. No. 21, 4/13/62).

Section 1310. Appointive Officers.

Appointive officers of the City shall be (~~a City Judge,~~) a City Attorney, a City Engineer, a Street Superintendent, a Park Superintendent, a Transportation Superintendent, a Chief of Police, a Chief of the Fire Department, a Building Inspector. The City Council may also provide by ordinance for such additional appointive boards, commissions, officers, assistants, deputies and employees as it deems necessary. The Council may also provide for the holding by one person of several offices, providing that such offices are not incompatible with one another.

The City Council shall have the power of appointment of all appointive officers with the exception of such deputies as it may provide for in the office of the City Clerk and City Treasurer, as to which deputies the heads of the respective departments shall have the power of appointment.

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Section 1320. Compensation; Appointive Officers and Employees.

Compensation of all appointive officers and employees of the City, other than those serving gratuitously, shall be fixed or changed by the City Council. No officer or employee shall be paid by the City any fee or emolument in addition to, or save as embraced in, the salary or compensation fixed by the Council and all fees received by such officer or employee for the performance of any of his official duties shall be paid by him into the City Treasury.

Section 1330. Residence; Officers and Employees.

All officers and employees of the City of Torrance shall be or become residents of said City within six months after their appointment or date of employment; provided, however, that as to appointive officers or employees having technical, special or professional knowledge or abilities, the City Council may waive the residence requirements. No officer or employee may be appointed permanently in the classified service unless and until he has become a resident of the City. (Ratified Gen. Mun. Elec. 4/11/50, Amend. No. 3; Approved by State Legislature Concurrent Res. No. 32 on 3/15/51).

Article 14—Fiscal Affairs

Section 1400. Fiscal Year.

The fiscal year of the City shall begin on the first day of July and end on the 30th day of June of the following year.

Section 1410. Budget.

On or before the first day of June (~~July~~) of each year the City Manager (~~City Clerk~~) shall submit to the City Council a proposed budget for all departments. Said budget shall include estimates for all the revenues and expenditures for all City departments for the ensuing year. This estimate shall be compiled from detailed information to be supplied by each of the departments, on blanks to be furnished by the City Manager (~~City~~

~~Clerk~~). Such blanks shall provide for a detailed estimate of the expenses of conducting each department, as statement of expenditures for the corresponding items for the current year and the last preceding fiscal year, with reasons for increases and decreases recommended for the current year; an estimate of the amount which should be reserved for contingent or emergency purposes; an itemization of all anticipated revenues of the City; an item to be known as "cash basis fund", to be carried over to the next ensuing fiscal year, following the fiscal year for which the budget is prepared, to meet the cash requirements prior to the receipt of taxes; an estimate of the amount of money to be raised for taxes; the tax rate, which, with revenue from other sources, will be necessary to meet the expenditures proposed; a recommendation as to such funds as should be deposited in, or withdrawn from, any capital outlay fund and such other information as may be required by the City Council.

Section 1411. Council Action on Budget.

After reviewing said proposed budget as compiled by the City Manager (~~City Clerk~~) from information secured from department heads, and making such corrections, modifications or additions as it may deem advisable, the Council shall adopt the same by resolution. Said proposed budget shall serve as a financial guide for the City Council and the department heads of the City. It is not intended that any act of the City Council with respect to the preparation or adoption of the budget shall constitute the appropriation of City funds for the purpose enumerated therein.

After adoption of the budget, the Council may, from time to time, authorize the expenditures of funds as proposed in said budget, or if circumstances have changed making it advisable to deviate therefrom, it may do so without the necessity of taking action to amend the budget. In its future authorization of expenditures, either budgeted or unbudgeted, the City Council shall not incur any indebtedness in excess of the limitations imposed by this Charter.

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Section 1420. Taxation System.

Unless otherwise provided by ordinance of the City Council, the City shall continue to use, for purposes of municipal taxation, the county system of assessment and tax collection.

Section 1430. Deposit of Moneys in Treasury.

All moneys belonging to or collected or received for the use of the City by any officer or employee thereof, shall immediately be deposited into the treasury in such manner as the City Council shall prescribe by ordinance, for the benefit of the funds to which such moneys respectively belong. Every officer or employee collecting or receiving any such moneys shall report to the City Manager (~~City Clerk~~) for the same on the first Monday of each month or at such shorter intervals as may be prescribed by ordinance.

Section 1431. Special Fund for Capital Outlays.—Repealed

Section 1432. Clerk's Petty Cash Fund.—Repealed

Section 1440. Presentation of Demands.

All demands against the City shall be presented in accordance with such regulations as the City Council may prescribe by ordinance; provided, that the same are hereby required to be audited by the City Council or by a committee thereof and approved by the Council, as audited. On the allowance of any demand, the Mayor shall draw a warrant on the City Treasurer for the same; which warrant shall be countersigned by the Director of Finance (~~City Clerk~~) and shall specify for what purpose the same is drawn and out of what fund it is to be paid. Demands against the funds in the control of the Board of Education shall be presented to the Board of Education.

Section 1441. Registration of Demands.

When any order or demand is presented for approval and is not approved for want of funds and the amount of said order or demand does not exceed the income and revenue provided for the year in which the indebtedness was incurred, for which said order or demand was drawn, the Director of Finance (~~City Clerk~~) must endorse thereon the words "not approved for want of funds", with the date of presentation and shall order or demand in the records of his office and shall thereupon deliver said order or demand to the claimant, or his order. From that time, such order or demand shall bear interest at such rate as the City Council may prescribe by ordinance. Such orders or demands so registered, as herein provided, shall be paid in the order in which the same are registered, as and when funds are available.

Section 1442. Actions Against City.

No suit shall be brought against the City or any Board or Commission thereof on any claim for money or damages or for the taking of property until a demand for the same has been presented as herein provided and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole. Except in those cases where a shorter time is otherwise provided by law, all claims for damages against the City must be presented within ninety (90) days after the occurrence, event or transaction from which the damages allegedly arose, and all other claims or demands shall be presented within six (6) months after the last item of the account or claim accrued.

Every claim brought against the City or any Board or Commission thereof for money or damages or for the taking of property shall be verified by the person making the claim and filed with the City Clerk, who shall thereupon present the same to the City Council, officer, Board or Commission authorized by this Charter to incur or pay the expenditures or alleged indebtedness or liability represented thereby. In all cases, such claims shall be approved or rejected in writing and the date thereof given: Failure to act upon any claim or demand

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within sixty (60) days from the date the same is filed with the City Clerk shall be deemed a rejection thereof. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 4; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

Section 1450. Contracts on Public Works.

Every contract involving an expenditure of more than Two Thousand Dollars (\$2,000.00) for the construction or improvement, excluding maintenance and repair, of public buildings, works, streets, drains, sewers, utilities, parks and playgrounds, and each separate purchase of materials or supplies for the same, where the expenditure required for such purchase shall exceed the sum of Two Thousand Dollars (\$2,000.00) shall be let to the lowest responsible bidder after notice by publication in the official newspaper by two or more insertions, the first of which shall be at least ten days before the time for opening bids; or if there is no newspaper, then by posting copies of such notice in at least three public places in said City.

The City Council may reject any and all bids presented and may readvertise in its discretion. After rejecting bids, or if no bids are received, the City Council may declare and determine that, in its opinion, the work in question may be performed better or more economically by the City with its own employees, or that the material or supplies may be purchased at a lower price in the open market, and after the adoption of a resolution to this effect by at least a five-sevenths vote, it may proceed to have said work done or such materials or supplies purchased in the manner stated, without further observance of the provisions of this section. Such contract may be let and such purchases made without advertising for bids, if such work, or the purchase of such materials or supplies shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by at least a five-sevenths vote. (Ratified Spec. Mun. Elec. 10/29/57, Amend. No. 2; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 1451. Publishing of Legal Notices.

In the event that there is more than one newspaper of general circulation printed and published in the City, the City Council shall, annually, prior to the beginning of each fiscal year, publish a notice inviting bids and contract for the publication of all legal notices required to be published in a newspaper of general circulation printed and published in said City. Said contract shall include the printing and publishing of all such legal notices during the ensuing fiscal year. In the event there is only one newspaper of general circulation printed and published in the City, then the City Council shall have the power to contract with such newspaper for the printing and publishing of such legal notices without being required to advertise for bids therefor. In no case shall the price charged for the publication of such notices exceed the customary rate charged by such newspaper for the publication of legal notices of a private character.

Section 1460. Franchises.

Franchises may be granted to persons, firms or corporations upon such terms, conditions, restrictions, or limitations as may be prescribed by the City Council by ordinance, but no franchise shall be granted without reserving to the City adequate compensation for the privilege conferred. (Ratified Gen. Mun. Elec. 4/10/56, Amend. No. 5; Approved by State Legislature Concurrent Res. No. 3 on 1/9/57).

Article 15—Airport Fund**Section 1500. Airport Fund.**

There shall be in the treasury of the City a separate fund to be designated as the "Airport Fund" and under such fund there may be such accounts as may be necessary or convenient. From time to time as the same are received, all fees, tolls, rentals, charges, proceeds from the sale of property, and other revenues received by the City from or in connection with the use or operation of any airport facilities owned, controlled or operated by the City shall be placed in said Airport Fund. (Ratified

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Spec. Elec. 10/29/57, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 1 on 2/4/58).

Section 1501. Airport Fund Uses.

Moneys in the Airport Fund shall be used only for the following purposes and in the following order of priority, to wit:

a) For the payment or providing for payment, including payments into any reserve or sinking funds, as the same falls due, of the principal of and interest on any bonds of the City, issued for the acquisition, construction, improvement or financing of airport facilities or for additions, betterments, extensions or capital improvements thereto.

b) For the current, necessary and reasonable costs and expenses to the City of operating and maintaining airport facilities owned, controlled or operated by the City, but without allowance for depreciation or obsolescence, or for additions, betterments, extensions or capital improvements thereto.

c) After paying or providing for all payments under subparagraph (a) above which are due or which will become due during the next ensuing 12 months' period, and after paying or providing for all current costs and expenses under subparagraph (b) above, any balance which remains from time to time in the Airport Fund and the several accounts therein may be used for the purpose of acquiring, constructing, or improving airport facilities or for additions, betterments, extensions or capital improvements thereto (including deposits in reserve or depreciation reserves or accounts established for that purpose), and any part of such balance not then needed for such purposes may be used for any lawful purpose. (Ratified Gen. Mun. Elec. 4/10/62, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

Section 1502. Definition of Airport Facilities.

As used in this Article 15 the term "airport facilities" means all property of any kind heretofore or hereafter acquired by the City for airport purposes or for the direct

or indirect development and promotion of air commerce, air manufacture, air navigation, air transportation, aviation, or for matters incidental to or used in connection with any of the foregoing, and all land (formerly known as "The Lomita Flight Strip") acquired by the City from the United States of America by quitclaim deed dated March 5, 1948. (Ratified Gen. Mun. Elec. 4/10/62, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

Section 1503. Article 15 Not a Covenant.

Nothing in this Article 15 shall be deemed to be a covenant which shall be enforceable by any holder of any bond of the City. (Ratified Gen. Mun. Elec. 4/10/62, Amend. No. 1; Approved by State Legislature Concurrent Res. No. 21 on 4/13/62).

Article 16—Miscellaneous

Section 1600. Definitions.

Whenever in this Charter the word "City" occurs, it means the City of Torrance, and every department, board or officer, whenever either is mentioned, means a department, board or officer, as the case may be, of the City of Torrance.

Section 1610. Invalidity.

If any section or part of a section of this Charter proves to be invalid, it shall not be held to invalidate or impair the validity of any other section or part of a section, unless it clearly appears that such other section or part of a section is dependent for its operation upon the section or part of a section so held invalid.

Section 1620. Amendments.

This Charter may be amended in accordance with the provisions of the general laws of the State of California. (~~Section 8, Article XI, of the Constitution of the State of California~~).

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Section 1630. Operating "Draw Poker" Establishment
Where Fee Charged.

It shall be unlawful for any person, firm or corporation to engage in the managing, carrying on or conducting or permitting the carrying on, or permitting the use of any room, shop, apartment or other place within the City of Torrance where tables or other articles of furniture are used by the public for the playing of the game of cards, known or generally designated as "draw poker" and for which a fee or compensation is charged or payable by the player of such game or games within the City of Torrance. (Ratified Gen. Mun. Elec. 4/13/48, Amend. No. 3; Approved by State Legislature Concurrent Res. No. 8 on 1/6/49).

Section 1640. Exposure of Female Breasts Prohibited.

It shall be unlawful and a public nuisance to expose or procure, or to counsel or assist in the exposure within the City of Torrance, of the breast or breasts of any living human female for the purpose of public display, amusement, entertainment, or in connection with the sale or service of any commodity. For the purpose of this section, female breasts shall include the medial and lateral lower quadrants, or the nipple or areola, or any other portion of the lower half of the breasts. Each such display shall be considered a separate offense subject to separate criminal prosecution. The adoption of this section shall not preclude the City Council from adopting more restrictive ordinances further regulating the aforesaid subject matter. (Ratified Gen. Mun. Elec. 4/12/66, Amend. No. "C"; Approved by State Legislature Concurrent Res. No. 60 on 5/25/66).

Section 1650. City Judge.—Repealed.

Section 1660. City Court.—Repealed.

State of California }
County of Los Angeles } ss
City of Torrance }

This is to certify that the foregoing is a true and correct copy of the original document.

Dated: June 22 1973

VERNON W. COIL
City Clerk

(SEAL)

and

WHEREAS, The proposed amendments to the charter, as adopted and ratified as hereinabove set forth, have been and now are duly submitted to the Legislature of the State of California for approval or rejection, as a whole without power of alteration or amendment, in accordance with Section 3 of Article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, a majority of all the members elected to each house voting therefor and concurring therein, That the amendments to the Charter of the City of Torrance, as proposed to, and adopted and ratified by, the electors of the city, as hereinabove fully set forth, are hereby approved as a whole, without alteration or amendment, for and as amendments to, and as part of, the Charter of the City of Torrance.

RECEIVED

AUG 27 1973

OFFICE OF
CITY ATTORNEY

Carlos Bee
pro tempore Speaker of the Assembly

James R. Mills
pro tempore President of the Senate

Attest:

Edmund G. Brown Jr.
Secretary of State

ENDORSED - FILED
In the office of the Secretary of State
of the State of California
EDMUND G. BROWN JR., Secretary of State
AUG 16 1973

By George Tomasco
Deputy Secretary of State

ATTACHMENT K**City Charter section 604 COMPENSATION.**

The members of the Board of Education shall receive no compensation for their services as such. The members of the City Council shall receive compensation in the amount of One Hundred Dollars (\$100.00) per month, payable on the same dates as City employees, and in addition thereto shall receive their actual and necessary expenses while engaged on City business at the direction of the City Council. Any member of the City Council making demand for reimbursement for traveling or other expenses shall provide the Director of Finance with vouchers covering such expenses, together with a sworn statement to the effect that such expenses were actually incurred in good faith by said party while on official City business. The compensation of any member of the City Council appointed or elected to fill a vacancy shall be the same as that payable to such member whose office was vacated.

ATTACHMENT L

Government Code section 36516**(a)**

(1) A city council may enact an ordinance providing that each member of the city council shall receive a salary based on the population of the city as set forth in paragraph (2).

(2) The salaries approved by ordinance under paragraph (1) shall be as follows:

(A) In cities up to and including 35,000 in population, up to and including three hundred dollars (\$300) per month.

(B) In cities over 35,000 up to and including 50,000 in population, up to and including four hundred dollars (\$400) per month.

(C) In cities over 50,000 up to and including 75,000 in population, up to and including five hundred dollars (\$500) per month.

(D) In cities over 75,000 up to and including 150,000 in population, up to and including six hundred dollars (\$600) per month.

(E) In cities over 150,000 up to and including 250,000 in population, up to and including eight hundred dollars (\$800) per month.

(F) In cities over 250,000 population, up to and including one thousand dollars (\$1,000) per month.

(3) For the purposes of this subdivision, the population of a city shall be determined by the last preceding federal census, or a subsequent census, or estimate validated by the Department of Finance.

(4) The salary of council members may be increased beyond the amount provided in this subdivision by an ordinance or by an amendment to an ordinance, but the amount of the increase shall not exceed an amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted. No ordinance shall be enacted or amended to provide automatic future increases in salary.

(b) Notwithstanding subdivision (a), at any municipal election, the question of whether city council members shall receive a salary for services, and the amount of that salary, may be submitted to the electors. If a majority of the electors voting at the election favor it, all of the council members shall receive the salary specified in the election call. The salary of council members may be increased beyond the amount provided in this section or decreased below the amount in the same manner.

(c) Unless specifically authorized by another statute, a city council may not enact an ordinance providing for compensation to city council members in excess of that authorized by the procedures described in subdivisions (a) and (b). For the purposes of this section, compensation includes payment for service by a city council member on a commission, committee, board, authority, or similar body on which the city council member serves. If the other statute that authorizes the compensation does not specify the amount of compensation, the maximum amount shall be one hundred fifty dollars (\$150) per month for each commission, committee, board, authority, or similar body.

(d) Any amounts paid by a city for retirement, health and welfare, and federal social security benefits shall not be included for purposes of determining salary under this section, provided that the same benefits are available and paid by the city for its employees.

(e) Any amounts paid by a city to reimburse a council member for actual and necessary expenses pursuant to Section 36514.5 shall not be included for purposes of determining salary pursuant to this section.

(f) A city council member may waive any or all of the compensation permitted by this section.